

REMARKS/ARGUMENTS

Examiner:

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber (6,067,618) further in view of Cromer et al. (6,282,643) (hereinafter Cromer).

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Response:

The present application discloses a computer having providing a user the choice to boot to one of two operating systems. One of the operating systems (the second) would be considered an all-purpose OS, such as a version of Microsoft Windows, stored on a hard disk drive and loaded into memory after BIOS runs and perform various tasks according to the desire of a user. The stated prior art problem is that, due to their flexibility and power, these all-purpose operating systems normally require a long time to load and often provide much more power and flexibility than the user requires at the time ([0006]). For example, suppose that the user wants only to check his or her computerized calendar. A calendar is a relatively simple application and does not require all of the features of an all-purpose OS. However, in the prior art, to enable a user to access the calendar application and only the calendar application, the entire OS must still be loaded wasting the user's time ([0005], [0006]).

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The current application solved this problem by providing an additional (called the first) operating system that is not a general purpose OS such as Windows, but a less flexible, smaller OS that is only capable of running a specific application ([0014]), such as the calendar, to continue with the example. Therefore, when the user wants only to access the calendar (or other pre-designated application), the user is given the option to boot to the first OS and

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access only the calendar. Obviously, a smaller, less flexible OS can load quicker than Windows and save the user time. The same may be said for the shutdown time savings. To further increase the time savings, the first OS is stored, not on a hard disk, but in non-volatile memory along with the BIOS code and the designated application program ([0015]). Non-volatile memory such as flash or ROM can be accessed much quicker than data stored on a hard disk drive, further increasing speed ([0006]). After BIOS POST, the computer can choose to load either the first operating system for running only the designated application or the second operating system if more flexibility is desired ([0014]).

With this in mind, it is difficult for the Applicant to understand what the Examiner means when citing Weber and Cromer as anticipating the claims of the present application. It is agreed that Weber discloses a method of choosing between loading a first or a second operating system. However, it is noted that Weber requires selection of which OS to load before boot and initialization (Col.8, lines 2-8), while claim 1 states the limitation of the computer system choosing which OS to load after running BIOS. This gives the user more time and flexibility in the OS selection process. Additionally, Weber and Cromer disclose utilization of conventional operating systems, such as Windows (Weber- Col.8, lines 8-21, Cromer- Col.1, lines 57-60). The Applicant is unable to locate any teachings or suggestion in either art of utilizing an OS "only capable of executing the first application program" (claim 1), which increases boot speed.

Perhaps structurally more important is the respective storage locations of the different operating systems. As stated, loading an OS from a non-volatile memory such as flash or ROM is much faster than loading an OS from a hard drive ([0006],

[0019]. Weber stores each operating system on a separate hard drive (Col.8, lines 8-21, Fig.1, BIOS 20, Hard Drives 54,56). In fact, if Weber were to be modified so that the non-volatile memory contains one of the operating systems, this would change a stated principle of operation of totally isolating one OS from the other, preventing any possibility of cross-talk or binary corruption between the two different OS (Col.8, lines 13-18) and is therefore not considered obvious. Cromer also stores the operating system on a hard drive (Fig.3 shows the hard drive 31 clearly distinct from the memory containing 66 BIOS (Col.7, lines 15-18) and the OS is loaded from the hard drive 31 (Col.7, lines 27-33).

In contrast, the present invention claim 1 states the limitation that the first OS is stored in, and loaded from the non-volatile memory and that this non-volatile memory also comprises BIOS and the first application program ([0015]). This choice of OS storage location and structure is not anticipated in the prior art and directly serves to achieve the present invention's stated goal of saving the user time ([0006], [0019]).

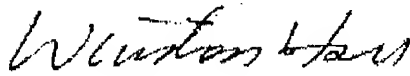
Without disclaimer of any kind regarding the merits of claims as filed, the Applicant has chosen to cancel claims 10-12 and amend claim 1 to unambiguously point out the structural difference described above by including the limitation that the non-volatile memory that comprises the BIOS, the first OS, and the first application program is flash or read-only memory. These limitations were present in claims 2 and 4 as originally filed and as active claims before the current Office action. Therefore, no new material has been introduced and no new issues have been raised. As the patentability of all dependent claims ultimately

depends upon the patentability of the base claim and the Applicant has shown clear structural and functional differences between the known prior art and the present invention, the Applicant believes that the current application is in condition for allowance as required and respectfully requests reconsideration of claims 1-9.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

10 Sincerely yours,



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